

Senate Bill No. 87

CHAPTER 386

An act to amend Section 379 of the Streets and Highways Code, relating to highways, and declaring the urgency thereof, to take effect immediately.

[Approved by Governor September 9, 2004. Filed
with Secretary of State September 9, 2004.]

LEGISLATIVE COUNSEL'S DIGEST

SB 87, Hollingsworth. State Highway Route 79.

Existing law requires the California Transportation Commission to relinquish to any city or county any portion of any state highway within the city or county that has been deleted from the state highway system by legislative enactment. These relinquishments become effective upon the first day of the next calendar or fiscal year, whichever first occurs after the effective date of the legislative enactment.

This bill would authorize the commission to relinquish to the City of Temecula a specified portion of State Highway Route 79 located within Temecula's city limits, upon terms and conditions the commission finds to be in the best interests of the state, if the commission and the city enter into an agreement providing for that relinquishment.

This bill would declare that it is to take effect immediately as an urgency statute.

The people of the State of California do enact as follows:

SECTION 1. Section 379 of the Streets and Highways Code is amended to read:

379. (a) Route 79 is from:

- (1) Route 8 near Descanso to Route 78 near Julian.
- (2) Route 78 near Santa Ysabel to the Temecula city limits east of Butterfield Stage Road.
- (3) Temecula city limits south of Murrieta Hot Springs Road to Route 74 near Hemet.
- (4) Route 74 near Hemet to Route 10 near Beaumont.

(b) Notwithstanding this section, the commission may relinquish to the City of Temecula the portion of Route 79 located within Temecula's city limits, upon terms and conditions the commission finds to be in the best interest of the state.

(c) (1) Any relinquishment agreement shall require that the City of Temecula administer the operation and maintenance of the highways in a manner consistent with professional traffic engineering standards.

(2) Any relinquishment agreement shall require the City of Temecula to ensure that appropriate traffic studies or analysis will be performed to substantiate any decisions affecting the highways.

(3) Any relinquishment agreement shall also require the City of Temecula to provide for public notice and the consideration of public input on the proximate effects of any proposed decision on traffic flow, residences, or businesses, other than a decision on routine maintenance.

(4) Notwithstanding any of its other terms, any relinquishment agreement shall require the City of Temecula to indemnify and hold the department harmless from any liability for any claims made or damages suffered by any person, including a public entity, as a result of any decision made or damages suffered by any person, including a public entity, as a result of any decision made or action taken by the City of Temecula, its officers, employees, contractors, or agent, with respect to the design, maintenance, construction, or operation of that portion of Route 79 that is to be relinquished to the city.

(d) Any relinquishment shall become effective immediately after the county recorder records the relinquishment resolution that contains the commission's approval of the terms and conditions of the relinquishment.

(e) On and after the effective date of the relinquishment, both of the following shall occur:

(1) The portion of Route 79 relinquished shall cease to be a state highway.

(2) The portion of Route 79 relinquished may not be considered for future adoption under Section 81.

(f) The City of Temecula shall ensure the continuity of traffic flow on the relinquished portion of Route 79, including any traffic signal progression.

(g) For relinquished portions of Route 79, the City of Temecula shall maintain signs directing motorists to the continuation of Route 79.

SEC. 2. This act is an urgency statute necessary for the immediate preservation of the public peace, health, or safety within the meaning of Article IV of the Constitution and shall go into immediate effect. The facts constituting the necessity are:

In order to further economic development and improve the quality of life in the City of Temecula, it is necessary that this act take effect immediately.

